

This document contains the Connecticut regulations for the Criteria for the issuance of marine dealer registration numbers. These regulations became effective on July 8, 2011. This document was prepared by the State of Connecticut Department of Energy and Environmental Protection and is provided for the convenience of the reader. This is not the official version of the regulations. The official regulations are published by the State of Connecticut, Judicial Branch, Commission on Official Legal Publications in the Connecticut Law Journal. In the event there is inconsistency between this document and the regulations as published in the Connecticut Law Journal, the Connecticut Law Journal publication will serve as the official version.

Sec. 15-121-B5. Criteria for the issuance of marine dealer registration numbers.

(a) The Commissioner may issue a marine dealer registration number to a marine dealer, marine engine manufacturer or marine surveyor who satisfies the following criteria, except a person who sells or manufacturers vessels not required to be numbered pursuant to Sections 15-142 and 15-143 of the Connecticut General Statutes such as non-motorized vessels including canoes, kayaks, sailboards and sailboats under 19 1/2 feet in length, shall not apply for or receive a marine dealer registration number:

- (1) Each marine dealer who applies for a marine dealer registration number shall keep written records of sales of vessels required to be numbered pursuant to Sections 15-142 and 15-143 of the Connecticut General Statutes. Each marine engine manufacturer, who applies for a marine dealer registration number, shall keep a written record of each marine engine manufactured, sold or repaired by such manufacturer. Each marine surveyor shall keep a written record of each vessel surveyed by such marine surveyor. The aforementioned records shall be kept for a minimum of four years from the date of any such manufacture, sale, survey, or repair and made available to agency representatives for inspection upon request. Such records may consist of: listings, deposit receipts, canceled checks, trust records, or other documents showing manufacture, sales, survey, or repair transactions. Records of sales shall include: the name and address of the purchaser, the selling price, the date of sale and a description of the vessel or engine sold including but not limited to any previous registration number or documentation number and the hull identification number of all recreational vessels manufactured after November 1, 1973. Records of marine surveys shall include: the name and address of the owner and the person purchasing the survey, the purpose of the survey, the date of the survey, and a detailed description of the vessel surveyed including, but not limited to, the hull identification number.
- (2) A marine dealer shall have an established place of business with office space and vessel display area which is used for the sale or manufacture or both of vessels, unless specifically exempted from the requirement to have an established place of business pursuant to Section 15-145 of the Connecticut General Statutes. A marine engine manufacturer shall have an established place of business for the manufacture, sale, trade, display or repair of marine engines. The minimum size of the office and display area shall be 144 square feet. Such office and display area shall be accessible and open to the public. A vessel display area separate from the marine dealer's or marine engine manufacturer's office, such as a slip or mooring at a marina, which is rented, leased or owned in the business name of the marine dealer or marine engine manufacturer and used to facilitate the demonstration of vessels for sale or the testing or repair of marine engines, may be substituted for the required vessel display area at the established place of business.

- (3) A marine dealer or marine engine manufacturer shall erect a sign at his or her place of business, unless a marine dealer is specifically exempted from the requirement to have an established place of business pursuant to Section 15-145 of the Connecticut General Statutes. The sign shall be a minimum of 250 square inches in size and legibly display the business name of the marine dealer or marine engine manufacturer, as applicable. The sign shall be erected in a conspicuous place so that it comes to the attention of the general public. A marine dealer or marine engine manufacturer substituting a separate display area as described in subdivision 15-121-B5(a)(2), shall also display, in a conspicuous location, on the vessel for sale or on a vessel used to test or repair marine engines, or at its slip or mooring, a sign not less than 144 square inches in size, bearing the marine dealer's or marine engine manufacturer's business name and business telephone number. Such name and telephone number shall be legible and discernible from a distance of not less than fifty feet. Yacht brokers shall display, in a conspicuous location, on the vessel for sale, and while bearing the marine dealer registration number of the yacht broker, a sign not less than 144 square inches in size, bearing the yacht broker's business name and business telephone number and the words "For Sale By Broker". Such information shall be legible and discernible from a distance of not less than fifty feet.
- (4) A marine dealer, marine engine manufacturer or marine surveyor shall have a telephone number listed with the telephone company in its business name and published in the telephone company directory for public information.
- (5) Each marine dealer, marine engine manufacturer or marine surveyor who applies for marine dealer registration numbers and who has not previously been issued such numbers or who is reapplying after failing to meet the renewal criteria set forth in this section shall do so on a form specified by the Commissioner. Such marine dealer or marine engine manufacturer shall pay an examination fee of one hundred and forty dollars. A marine dealer, marine engine manufacturer or marine surveyor shall sign a statement under oath indicating that he or she has complied with the requirements and criteria for the issuance of marine dealer registration numbers and that he or she agrees to display the marine dealer registration number in the case of a marine dealer, on vessels used solely pursuant to Section 15-145(e) of the Connecticut General Statutes, or in the case of a marine engine manufacturer, on vessels used solely for the purpose of testing or demonstrating a marine engine manufactured or repaired by such manufacturer, or in the case of a marine surveyor, on vessels used solely for the purpose of performing a marine survey, and agrees not to display the marine dealer registration number on vessels operated for any other reason.

(b) The Commissioner may renew a marine dealer registration number if he or she is satisfied that the marine dealer or marine engine manufacturer continues to meet the criteria of subsection

15-121-B5(a) and that the marine dealer or marine engine manufacturer also satisfied at least one of the following criteria during the year prior to the application for renewal:

- (1) Manufacture or sale of more than five vessels required to be numbered or registered pursuant to Section 15-142 of the Connecticut General Statutes;
  - (2) Manufacture or sale of two to five vessels required to be numbered or registered pursuant to Section 15-142 of the Connecticut General Statutes, of not less than \$50,000 total gross value where the gross value credited by any vessel towards the \$50,000 minimum is no more than \$25,000;
  - (3) Not less than fifty percent of the adjusted gross income of a marine dealer as determined for purposes of federal income tax is derived from vessel sales subject to proof satisfactory to the Commissioner;
  - (4) Not less than fifty percent of a marine engine manufacturer's adjusted gross income, as determined for purpose of federal income tax, is derived from the manufacture, sale and repair of marine engines by such manufacturer. Subject to proof satisfactory to the Commissioner, a marine engine manufacturer shall provide records to the Commissioner demonstrating that such manufacturer's income complies with the requirements of this subdivision; or
  - (5) The manufacture, sale or repair of more than five marine engines by a marine engine manufacturer.
- (c) The fee for each marine dealer registration number shall be one hundred dollars per year.
- (d) No person applying for a marine dealer registration number who fails to meet the criteria for the issuance of such number shall reapply for a number for a period of one year from the date of such person's last application.
- (e) Yacht brokers, as defined in Section 15-145 of the Connecticut General Statutes, who meet the requirements of subsection 15-121-B5(a)(1), (4) and (5) and who have not previously been issued a marine dealer registration number may be issued one marine dealer registration number. The Commissioner may renew the marine dealer registration number of a yacht broker who meets the requirements of subsections 15-121-B5(a)(1), (4) and (5) and 15-121-B5(b)(1), (2) or (3). Yacht brokers may apply for additional marine dealer registration numbers concurrent with their application for renewal of their marine dealer registration number subject to the conditions set forth in this subsection. Yacht brokers who fail to meet the criteria for renewal of their marine dealer registration number are subject to the requirements of subsection (d) of this section. A yacht broker shall make any and all documents or records required to be maintained pursuant to this subsection and Section 15-145(d) of the Connecticut General Statutes available for inspection by the Commissioner at a place designated by the Commissioner within five business days of the Commissioner's request to review such documents or records. A yacht broker who meets the criteria for issuance of marine dealer registration numbers shall only

display such numbers on vessels operated pursuant to subsection (e) of Section 15-145 of the Connecticut General Statutes.

(f) Marine surveyors who possess current and valid certification or accreditation acceptable to the Commissioner as defined in Section 15-141 of the Connecticut General Statutes may be issued one marine dealer registration number. The Commissioner may renew the marine dealer registration number of a marine surveyor who possesses a marine dealer registration number provided the marine surveyor possesses current and valid certification or accreditation acceptable to the Commissioner and the Commissioner is satisfied that the marine surveyor continues to meet the criteria of subsection 15-121-B5(a) at the time the application for renewal of the marine dealer registration number is submitted to the Commissioner.